

Exhibit B



77 Water Street, New York, NY 10005 P 212.584.0700 F 212.584.0799 www.seegerweiss.com

Christopher A. Seeger

Founding Partner

cseeger@seegerweiss.com

P:212-584-0700

Position: Founding Member and Co-Managing Partner of Seeger Weiss, LLP

Admitted: New Jersey, 1990; New York, 1991; also admitted in S.D.N.Y.; E.D.N.Y.; D.N.J.; and D. Colo.

Education: Hunter College of the City University of New York (B.A., *summa cum laude*, 1987); Benjamin N. Cardozo School of Law (J.D., *magna cum laude*, 1990). *Honors:* Managing Editor, *Cardozo Law Review*.

Awards: Hunter College Hall of Fame, 2007; Cardozo Alumnus of the Year, 2009; Law Dragon 500, 2007-2015; Best Lawyers in America, 2006-2015; New York Super Lawyers, 2006-2015; New Jersey Super Lawyers, 2006-2016.

Member: American Law Institute; The Association of the Bar of the City of New York; New Jersey State Bar Association; American Bar Association; American Association for Justice, Trial Lawyers for Public Justice; Fellow, American Bar Foundation.

Practice Areas: Products Liability; Mass Torts; Class Actions; Consumer Fraud; Antitrust; and Insurance.

Selected Experience

Chris Seeger is a founding partner of Seeger Weiss LLP, a New York City-based law firm comprised of approximately 25 lawyers and 80 employees in three states representing individuals and entities injured nationwide by all manner of corporate misconduct. His litigation practice has spanned many different disciplines, including but not limited to: products liability involving pharmaceutical and medical devices; personal injuries and property damages of all types; consumer, insurance and securities fraud; and third-party payer litigation.

Chris had the privilege of serving as court-appointed Co-Lead Counsel, Liaison Counsel, or member of the Plaintiffs' Executive and/or Steering Committees in many of the most complex and nationally-impactful multidistrict proceedings in the United States, including those described in greater detail below. From these experiences he has drawn a keen sense of the demands and challenges presented in large complex litigations, and understands the importance of having not only first-rate legal minds among plaintiffs' counsel, but also seasoned and respected leaders capable of fomenting collegiality, cohesiveness and decorum among colleagues, in furtherance of the clients' common good. Over time, Chris has come to earn the trust of his peers and adversaries alike—as well as the jurists before whom he has practiced—by virtue of a disciplined, earnest and honest approach to litigation and conflict resolution.

Selected court appointments include:

- Appointed to Plaintiffs' Steering Committee by the Honorable Charles R. Breyer in *In re Volkswagen "Clean Diesel" Marketing, Sales Practices and Products Liability Litigation*, MDL No. 2672 (N.D. Ca.), representing individuals affected by the Volkswagen diesel emissions controversy. I serve on the Settlement Committee and was one of the lead negotiators of a \$14.7 billion settlement which includes a massive buyback program for consumers and billions of dollars for environmental remediation.
- Appointed Co-Lead Class Counsel by the Honorable Anita Brody in *In re National Football League Players' Concussion Injury Litig.*, MDL No. 2323 (E.D. Pa.) and served as chief negotiator on behalf of plaintiffs in the highly visible and contentious multidistrict litigation against the National Football League. There, I faced significant legal and procedural challenges, including those associated with federal preemption, causation and sub-classing. Ultimately, I was able to surmount these hurdles and lead settlement negotiations under the auspices of a mediator, and in coordination with subclass counsel. The results achieved there—an uncapped settlement fund valued at approximately \$1 billion and a medical testing program—were overwhelmingly supported by the class and received unprecedented media attention. This settlement was approved by the Third Circuit Court of Appeals and certification of appeal was recently denied by the United States Supreme Court.
- Appointed Co-Lead Counsel by the Honorable Matthew Kennelly in *In re Testosterone Replacement Therapy Prods. Liab. Litig.*, MDL No. 2545 (N.D. Ill.), representing the interests of individuals who were injured by testosterone medications.
- Appointed to the Plaintiffs' Executive Committee by the Honorable Douglas P. Woodlock in *In re Fresenius Granuflo/Naturalyte Dialysate Prods. Liab. Litig.*, MDL No. 2428 (D. Mass.).
- Appointed as Liaison Counsel by the Honorable Jack B. Weinstein in *In re Zyprexa Prods. Liab. Litig.*, MDL No. 1596 (E.D.N.Y.), and served as one of the chief negotiators in connection with a national \$700 million settlement with Eli Lilly for over 8,000 claims that Zyprexa caused diabetes-related injuries. This was followed by a \$500 million second-round settlement.
- Appointed to the Plaintiffs' Executive Committee by the Honorable David A. Katz in *In Re: Depuy Orthopaedics, Inc. ASR Hip Implant Prods. Multidistrict Litigation*, MDL No. 2197 (N.D. Ohio) and was involved in negotiating an almost \$3 billion settlement.
- Appointed to the Plaintiffs' Steering Committee by the Honorable David R. Herndon in *In re Yasmin and YAZ Marketing, Sales Practices and Prods. Liab. Litig.*, MDL No. 2100

(S.D. Ill.). Mr. Seeger was the first to settle own clients' cases, which ultimately led to the creation of nationwide settlement program exceeding \$2 billion.¹

Chris's success as a negotiator is bolstered by his reputation as a successful trial lawyer. Defense counsel know from repeated examples that he is fully capable and more than willing to take large and complex cases to trial, alongside the many other experienced trial lawyers in his firm. Indeed, his successes in trying bellwether cases have served as a catalyst to global settlements. For example, *In re Vioxx Prods. Liab. Litig.*, MDL No. 1657 (E.D. La.), in which Chris was appointed as Co-Lead Counsel, settled for \$4.85 billion following five years of intense litigation, but mere months after he and others at Seeger Weiss obtained a jury verdict of \$47.5 million in one of his client's bellwether trials. Similarly, in *In re Chinese-Manufactured Drywall Prods. Liab. Litig.*, MDL No. 2047 (E.D. La.), in which Chris was appointed as Chair of the Plaintiffs' Trial Committee, he served as lead trial counsel in obtaining successful verdicts in a succession of bellwether liability and damages trials. These verdicts served as the precursor to a national settlement valued at approximately \$1 billion with a worldwide drywall distributor in 2011.

Additionally, Chris is an elected member of the American Law Institute; a member of the Board of Advisors to the NYU School of Law, Center on Civil Justice; and serves on an Advisory Council to the Duke Law Center for Judicial Studies. Consistent with the goals these respected organizations, he has devoted great time and energy to teaching and lecturing law school students and emerging practitioners, as well as veterans of the bar, in a variety of venues and settings. Among other things, Chris has taught an advanced level class on Complex Litigation at his alma mater, Cardozo Law School, and regularly lectures or serves as a panelist joining distinguished members of the bench and bar in the continued examination of the theory, process and practice of the law. Through these immersive experiences, Chris has broadened his insights and perspectives on the practice of law, and his abilities in finding pragmatic solutions to many vexing problems that he regularly faces in his litigation career. As just one example of his creative thinking, Chris was the first to conceive of and to use a global lien resolution administrator in the class or mass action context to resolve government and/or third party liens, resulting in significant savings and quicker payments to class members. *See, e.g., In re Zyprexa Prods. Liab. Litig.*, MDL 1596, 2006 WL 2385230 (E.D.N.Y. Aug. 15, 2006); *In re Vioxx Prods. Liab. Litig.*, MDL No. 1657, 2014 WL 31645, at *9-10 (E.D. La. Jan. 3, 2014).

¹ In the interest of brevity, I have not included all relevant experience. If the Court so desires, I would be pleased to submit my complete biography.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: INVOKANA (CANAGLIFLOZIN)
PRODUCTS LIABILITY LITIGATION**

**:
: MDL NO. 2750
:
: JUDGE BRIAN R. MARTINOTTI
: JUDGE LOIS H. GOODMAN**

This Document Relates to All Actions

**APPLICATION OF MICHAEL A. LONDON FOR APPOINTMENT
AS CO-LEAD COUNSEL**

In accordance with Case Management Order No. 1 [DKT 22], I, Michael A. London, Esq., respectfully submit this application to serve on the Plaintiff Steering Committee as co-lead counsel for Multi-District Litigation ("MDL") No. 2750.

Our office filed the first Invokana case in the District of New Jersey and I have been serving as Interim Co-Liaison Counsel (along with Christopher Seeger and James Cecchi) for the Invokana cases pending before Your Honor since appointment by the Court on October 5, 2016. In this role, along with the other Interim Co-Liaison Counsel, I have worked to advance and prosecute this case on behalf of my clients and plaintiffs generally. We have engaged in numerous meet-and-confers with defense counsel, drafted and negotiated various foundational case management orders that been entered by the Court, which have allowed this case to progress (as well as others that are still pending), and have begun receiving and reviewing discovery produced by the defendants.

I am one of the founding partners of the law firm Douglas & London, P.C., located in downtown New York City. I obtained my Bachelor of Arts degree from the University of Miami in Coral Gables, Florida, and my Juris Doctor degree from Brooklyn Law School in Brooklyn, New York. I am admitted and licensed to practice law in the States of New York and New Jersey, as well as in the United States District Courts for the Eastern District, Southern District, and Western District of New York, as well as the District of New Jersey. Since obtaining my law degree, I have devoted my entire career to representing consumers and injury victims, primarily in mass tort settings. My practice area in the law has *always* focused on, and continues to focus on, products liability and complex litigation with an emphasis in pharmaceutical litigation.

I have been privileged to have been appointed to, and have served, as lead or liaison counsel on numerous Plaintiffs' Steering Committees in some of the largest national mass tort and complex litigations in recent years. My formal lead and liaison counsel roles have been in the following matters with the following results:¹

- *Vice-Chair of Plaintiffs' Steering Committee – In re: Zyprexa Products Liability Litigation, MDL-1596, before the Honorable Jack B. Weinstein in the United States*

¹ I have also been asked to serve and have been formally appointed by eight Federal court judges and one state court jurist to sit on Plaintiffs' Steering Committees or Executive Committees (without elevated roles as lead or liaison counsel) earlier in my career. For brevity's sake those are not all listed here, but can be provided upon request.

District Court for the Eastern District of New York (status: resolved, \$700 million settlement of approximately 8,000 claims);

- *Co-Lead Counsel of Plaintiffs' Steering Committee – In re: Yasmin and Yaz (Drospirenone) Marketing Sales Practices and Products Liability Litigation*, MDL-2100, before the Honorable David R. Herndon in the United States District Court for the Southern District of Illinois (status: over 99.9% of the over 17,000 claims resolved through individual and mass semi-confidential settlements of claims in federal and state courts with the defendants paying over \$2 billion);
- *Co-Lead Counsel and Liaison Counsel for Plaintiffs' Steering Committee – In re: Bayer Corp. Combination Aspirin Products Marketing and Sales Practice Litigation*, MDL-2023, before the Honorable Brian M. Cogan in the United States District Court for the Eastern District of New York (status: resolved, \$15 million class settlement);
- *Co-Lead Counsel of Plaintiffs' Steering Committee – In re: Pradaxa (Dabigatran Etxilate) Products Liability Litigation*, MDL-2385, before the Honorable David R. Herndon in the United States District Court for the Southern District of Illinois (status: resolved, \$650 million settlement of approximately 4,000 claims);
- *Liaison Counsel and Plaintiffs' Executive Committee Member – In re: Ortho Evra Products Liability Litigation*, MDL-1742, before the Honorable David S. Katz in the United States District Court for the Northern District of Ohio (status: resolved, individual confidential settlements of approximately 3,000 claims in federal and state courts);
- *Co-Liaison Counsel for all Plaintiffs – In re: Levaquin Litigation*, centralized and consolidated litigation before the Honorable Carol E. Higbee in the Superior Court of New Jersey, Atlantic County (status: resolved, individual confidential settlements of hundreds of claims in federal and state courts); and
- *Co-Lead Counsel of Plaintiffs' Steering Committee – In re: E.I. du Pont de Nemours and Company C-8 Personal Injury Litigation*, MDL-2433, pending in the Southern District of Ohio before the Honorable Edmund A. Sargus, Jr., (status: active).

It is also important to highlight, and I am quite proud of the fact, that in six of the seven national mass tort litigations in which I served in a heightened role as co-lead counsel or as liaison counsel, settlements were accomplished in the span of, a highly efficient, 18 to 37 months from when MDL centralization occurred until announcement of settlement parameters.²

Not only have I held the court-appointed positions as set forth above, I have also been involved in other complex litigations in various committee roles, including serving on discovery committees, expert committees, law and briefing committees, and class action committees. I have represented hundreds of women exposed in utero to the drug Diethylstilbestrol ("DES") in litigation pending before the Honorable Jack B. Weinstein. I also represented and continue to represent children and

² The seventh and most recent case in which I was appointed to hold a lead counsel role, *In re: E.I. du Pont de Nemours and Company C-8 Personal Injury Litigation*, MDL-2433, pending in the Southern District of Ohio before the Honorable Edmund A. Sargus, Jr., concluded the bellwether trial phase. In fact on January 5, 2017, one of my law partners, Gary Douglas, secured a \$10.5 punitive damages verdict following a \$2 million compensatory verdict for the plaintiff, two weeks earlier. This was the third successful trial for our PSC in 15 months.

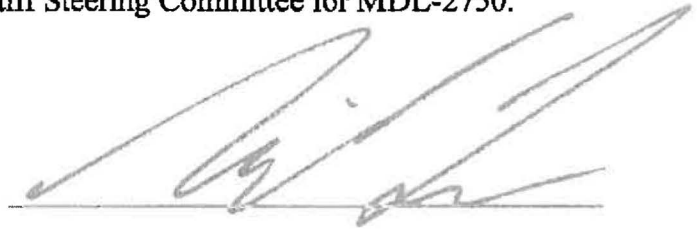
families who were victims of the medical device/procedure Chorionic Villi Sampling, as well as many other toxic and mass torts for which formal Plaintiffs' Steering Committees were not established.

I have served as trial counsel in multiple tobacco trials, including the *first* successful verdict against the tobacco industry in the state of New York, where I and one of my law firm's partners, Gary Douglas, secured a \$20 million plus verdict for the widow of a former smoker. In addition to the tobacco trials, my firm has been involved in other significant and substantial trials both in New York State and nationally. Examples of such roles include: serving as co-trial counsel in the *first* Norplant products liability trial in the State of New York; Mr. Douglas and the firm receiving one of the *first* verdicts against Chrysler in airbag litigation; Mr. Douglas and the firm being co-lead trial counsel in one of the first Ortho Evra birth control cases set for trial; Mr. Douglas and the firm (along with the Levin Papantonio law firm) trying and winning the first Fosamax osteonecrosis of the jaw case in the country; Mr. Douglas and the firm being co-lead trial counsel in the first Yaz/Yasmin case set for trial in MDL-2100, which was stayed for global settlement discussions 11 days before trial; Mr. Douglas and the firm designated as lead trial counsel in the first Pradaxa case in MDL-2385, which was stayed due to a global settlement that was achieved; Mr. Douglas serving as co-lead trial counsel in the first two C-8 cancer cases (part of MDL-2433), both resulting in plaintiff verdicts, and then as lead counsel for the third trial which resulted in a \$12.5 million verdict for the plaintiff (as noted in footnote 2 herein); and the firm's other partner, Stephanie O'Connor, serving on the PSC's Executive Committee and as Science Chairperson in In re: Actos (Pioglitazone) Products Liability Litigation, MDL-2299, which was pending in the United States District Court of Louisiana before the Honorable Rebecca Doherty, and playing a pivotal role in the first MDL trial where the trial team secured a \$9 billion verdict against the defendants.

I believe that it is important to underscore that myself and our firm have an unwavering commitment both to this case, as well as to our clients. As is hopefully clear from this application, our firm is not "new" to mass torts or significant products liability litigation. We appreciate what is at stake for all parties, as well as the tremendous time and investment by the Court. Our firm wants what is best for our clients, the Court, and ultimately the defendants, as well. We understand how complex and difficult it is to prosecute these cases as well as how resolutions and compromises work in this type of case and how they can be achieved (which is through many different types of models).

In sum, based upon my experience, track-record, and results leading similar mass tort/complex cases, as well as the proven results that our firm delivers, I submit that your undersigned is suited to serve as co-lead counsel in this MDL. As such, given all factors above, I respectfully seek appointment as co-lead counsel on the Court's Plaintiff Steering Committee for MDL-2750.

Dated: January 20, 2017



Michael A. London

Resume of James E. Cecchi, Esq.

James E. Cecchi is a partner of Carella, Byrne, a firm comprised of more than 30 lawyers in Roseland, New Jersey. Mr. Cecchi leads the firm's complex litigation department, which specializes in complex civil litigation in both federal and state courts, including class action and multidistrict litigation. Mr. Cecchi joined the firm in 1994 after serving in the United States Department of Justice as an Assistant United States Attorney for the District of New Jersey. In that capacity, Mr. Cecchi participated in significant criminal prosecutions involving money laundering, narcotics smuggling, and violations of federal firearms laws. Prior to his entry to the Department of Justice, from 1989-1991, Mr. Cecchi served as a law clerk to the Honorable Nicholas H. Politan in the United States District Court, District of New Jersey.

Mr. Cecchi is a member of the New Jersey, New York and Pennsylvania bars and is admitted to practice in the District Courts for the District of New Jersey and the Southern and Eastern Districts of New York, the Courts of Appeal for the Second and Third Circuits, and the U.S. Supreme Court. Mr. Cecchi is also a trustee of the U.S. District Court Historic Society.

Selected Experience in MDLs and Class Action Leadership Appointments

Mr. Cecchi's track record in the litigation of high stakes class actions and MDLs in courts across the country has been well documented. In those cases, he has collaborated successfully with his co-counsel, and also worked efficiently with opposing counsel in the spirit of Rule 1 and the guidelines set forth in the Manual for Complex Litigation. Mr. Cecchi maintains excellent relations with the plaintiffs' bar and defense bar. While the following list of appointments does not include all of Mr. Cecchi's relevant experience, it does reflect his most recent appointments.

- a. Lead Counsel, *In re Liquid Aluminum Sulfate Antitrust Litigation*, MDL (D.N.J.) (Hon. Jose L. Linares)
- b. Plaintiffs' Steering Committee, *In re Volkswagen "Clean Diesel" Marketing, Sales Practices and Products Liability Litigation*, MDL No. 2672 (N.D. Ca.) (Hon. Charles R. Breyer)
- c. Plaintiffs' Steering Committee, *In re Takata Airbag Products Liability Litigation*, (S.D. Fla.) (Hon. Federico A. Moreno)
- d. Co-Lead Counsel, *In re Caterpillar, Inc., C13 And C15 Engine Products Liability Litigation*, MDL 2540 (D.N.J.) (Hon. Chief Judge Jerome B. Simandle)
- e. Co-Lead Counsel, *In re AZEK Building Products, Inc., Marketing & Sales Practices Litigation*, MDL 2506 (D.N.J.) (Hon. Madeline Cox Arleo)
- f. Co-Lead Counsel, *The County of Monroe, Florida v. Priceline.com*, (S.D. Fla.) (Hon. Chief Judge K. Michael Moore)
- g. Liaison Counsel, *In Re: Schering-Plough/Enhance Securities Litigation*, (D.N.J.) (Hon. Dennis M. Cavanaugh)

- h. States' Counsel, *Allapattah Services, Inc. v. Exxon Corporation*, Case No. 91-0986-Civ-Gold. (S.D.Fla.) (Hon. Alan S. Gold)
- i. Liaison Counsel, *In Re Merck & Co., Inc. Vytarin/Zetia Securities Litigation*, (D.N.J.) (Hon. Dennis M. Cavanaugh)
- j. Chair, Plaintiffs' Executive Committee, *In re Effexor XR Antitrust Litigation*, (D.N.J.) (Hon. Peter G. Sheridan)
- k. Plaintiffs' Executive Committee, *In re Rail Freight Fuel Surcharge Antitrust Litigation*, MDL No. 1969 (D.D.C.) (Hon. Paul L. Friedman).
- l. Co-Lead Counsel, *In Re: Vytarin/Zetia Marketing, Sales Practices and Products Liability Litigation*, MDL No. 1938 (D.N.J.) (Hon. Dennis M. Cavanaugh)
- m. Liaison Counsel, *In Re: Elk Cross Timbers Decking Marketing, Sales Practices And Products Liability Litigation*, MDL No. 2577 (D.N.J.) (Hon. Jose L. Linares)
- n. Plaintiffs' Executive Committee, Settlement Liaison Counsel, *In re Aetna UCR Litigation*, MDL 2020 (D.N.J.) (Hon. Katharine S. Hayden)
- o. Co-Lead Counsel, *Franco v. Connecticut General Life Insurance*, (D.N.J.)(Hon. Stanley R. Chesler).
- p. Lead Counsel, *In Re: L'Oreal Wrinkle Cream Marketing Practices Litigation*, MDL 2415 (D.N.J.) (Hon. William J. Martini)
- q. Co-Lead Counsel, *In Re: Tropicana Orange Juice Marketing And Sales Practices Litigation*, MDL 2353 (D.N.J.) (Hon. William J. Martini)
- r. Co-Lead Counsel, *In Re Simply Orange Orange Juice Marketing And Sales Practices Litigation*, MDL No. 2361 (W.D.Mo.) (Hon. Fernando J. Gaitan, Jr.)
- s. Co-Liaison Counsel, *In re: Lipitor Antitrust Litigation*, MDL No. 2332 (D.N.J.) (Hon. Peter G. Sheridan)
- t. Co-Lead Counsel, *Fernandez v. Knight Capital Group*, (D.N.J.) (Hon. Madeline Cox Arleo)
- u. Co-Lead Counsel, *Luppino v. Mercedes-Benz USA LLC* (product liability), (D.N.J.) (Hon. Jose L. Linares)
- v. Liaison Counsel, *In Re: Vehicle Carrier Services Antitrust Litigation*, MDL 2471 (D.N.J.) (Hon. Esther Salas)
- w. Co-Lead Counsel, *In Re LG Front Loading Washing Machine Class Action Litigation* (product liability), (D.N.J.) (Hon. Madeline Cox Arleo)
- x. Co-Lead Counsel, *Davis Landscape v. Hertz Equipment Rental Corporation*, (D.N.J) (Hon. Dennis M. Cavanaugh)
- y. Co-Lead Counsel, *In re Mercedes-Benz Tele-Aid Contract Litigation*, MDL No. 1914, (D.N.J.) (Hon. Dickenson R. Debevoise)
- z. Co-Lead Counsel, *In Re: Virgin Mobile USA IPO Litigation*, (D.N.J) (Hon. Susan D. Wigenton)
- aa. Co-Lead Counsel, *In re Johnson & Johnson Derivative Litigation*, (D.N.J.) (Hon. Freda L. Wolfson)

- bb. Co-Lead Counsel, *Sampang, et al. v. AT&T Mobility LLC, et al.*, (D.N.J.) (Hon. Jose L. Linares).
- cc. Co-Lead Counsel, *Simon v. KPMG*, (D.N.J.) (Hon. Dennis M. Cavanaugh).

BIO OF ELLEN RELKIN AND STATEMENT REGARDING INVOKANA CASES

Ellen Relkin is of counsel to Weitz & Luxenberg, P.C. in New York City and Cherry Hill, New Jersey. She is certified by the New Jersey Supreme Court as a Certified Civil Trial Attorney. She has been elected over multiple years as a “Super Lawyer” of New Jersey and New York as well as AV rated and selected for the Martindale-Hubbell Bar Register of Preeminent Women Lawyers. She is licensed to practice in New York, New Jersey, Pennsylvania, and the District of Columbia.

Ms. Relkin was appointed by Hon. Eldon E. Fallon to the Plaintiffs’ Steering Committee in *In Re: Xarelto (Rivaroxaban) Products Liability Litigation*, US District Court, Eastern District of Louisiana. She was court-appointed by the Hon. Brian Martinotti as lead counsel in the New Jersey *In Re: Stryker Rejuvenate/ABG II Modular Hip Litigation*. She was a member of the negotiating team for a settlement compensating 3,000 plaintiffs for an amount in excess of one billion dollars. Ms. Relkin is co-lead counsel in the DePuy ASR MDL litigation. In that capacity she played a key role in negotiating the \$2.5 billion settlement for 8,000 victims of the failed hip implant. She was a member of the trial team in the landmark Vioxx case *McDarby v. Merck*, that obtained a \$13.5 million verdict and successfully defended the compensatory verdict in writing and arguing the appeal before the New Jersey Appellate Division, 949 A.2d 223 (N.J. App. Div. May 29, 2008).

Ms. Relkin is an elected member of the American Law Institute. She serves on the Board of Governors of the New Jersey Association for Justice and is President of the Roscoe Pound Civil Justice Institute. She also serves on the Board of Visitors of the University of California at Irvine Law School. She is a former chair of the Toxic, Environmental and Pharmaceutical Torts Section of the American Association of Justice.

INVOKANA CASES

I have filed two cases into the United State District Court for the District of New Jersey David Wade: 3:16-cv-09402 and Susan Govelitz: 3:16-cv-09426 and have approximately twenty cases that were filed in state court Pennsylvania that were removed to the United States District Court for the Eastern District of Pennsylvania and are presently subject to a pending remand motion. I have numerous other cases under investigation.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: INVOKANA (CANAGLIFLOZIN)
PRODUCTS LIABILITY LITIGATION**

:
: **MDL NO. 2750**
:
: **JUDGE BRIAN R. MARTINOTTI**
: **JUDGE LOIS H. GOODMAN**
:

This Document Relates to All Actions

**APPLICATION OF HUNTER J. SHKOLNIK FOR A POSITION ON THE
PLAINTIFFS' EXECUTIVE COMMITTEE**

In accordance with the Court's Case Management Order #1 dated January 12, 2017, I, Hunter J. Shkolnik, respectfully submit this application for appointment to the Plaintiffs' Executive Committee in the above referenced multidistrict litigation. Additionally, I support the Steering Committee proposed by Seeger Weiss, LLP & Douglas and London PC.

Our office represents 54 clients who were prescribed Invokana as a part of their diabetes therapy. These patients have suffered Ketoacidosis and other kidney injuries in varying degrees. We currently have 11 cases on file in this MDL. I am a founding Partner at Napoli Shkolnik PLLC (NS), a law firm with over 200 employees, 55 lawyers, and offices in New York, New Jersey, Pennsylvania, Illinois, California, Delaware, Texas, and Florida. We are recognized nationally for handling complex product liability and other significant class action and mass tort actions. NS is heavily involved in litigations requiring client representation all over the country, for drug, product and other toxic exposures; as well as consumer class actions. I personally have presented and published extensively in such areas as class actions, ethics in class actions, toxic tort, trial practice, drug and medical device litigation, medical malpractice, automobile, substantial truck product liability, expert witness preparation and *Daubert* hearings.

I have had the privilege of serving as court-appointed Co-Lead Counsel and as a member of the Plaintiffs' Steering Committee in many complex multidistrict proceedings in the United States. A short list of selected appointments are as follows:

- *In Re: Pradaxa (Dabigatran Etexilate) Products Liability Litigation, MDL No. 2385(National Settlement Counsel)* (Honorable David R. Herndon) (t: 618-482-9077);
- *Sterling, et al. v. Stratfor Enterprises, LLC, et al.*, Eastern District of New York 2:12-cv-00297; Lead Class Counsel; (Honorable Judge Denis R. Hurley) (t: 631-712-5650);
- *Hernandez-Ortiz, et al. v. 2 Gold, L.L.C., et al.*, Supreme Court of the State of New York, Index No. 158155/2012; Lead Class Counsel; (Honorable Ellen M. Coin) (t: 646-386-3875);

- Roberts, et al. v. Ocean Prime, LLC, et al., Supreme Court of the State of New York, Index. No. 150612/2013; Lead Class Counsel; (Honorable Manuel J. Mendez) (t: 646-386-5705);
- MDL No. 2325, In Re: American Medical Systems, Inc., Pelvic Repair Systems Products Liability Litigation; Plaintiffs Steering Committee; (Honorable Joseph Goodwin);
- MDL No. 2740, In Re: Taxotere(Docetaxel) Products Liability Litigation; Plaintiffs' Steering Committee; (Honorable Kurt D. Engelhardt)
- MDL No. 2738, In Re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices, and Products Liability Litigation; Plaintiffs' Executive Committee; (Honorable Freda L. Wolfson)

A complete list of appointments can be provided upon request. From these experiences I have learned how important it is to have strong leadership, supported by a diverse steering committee, with highly skilled lawyers with the knowledge and skill set to address the demands and challenges presented in massive litigations like the present action. It would be my privilege to apply my experience to the plaintiffs' common benefit here, and, if appointed, I will commit my personal and firm's time and resources to so serve. I would welcome the opportunity to serve on the Plaintiffs' Executive Committee.

I personally am, or have been, a Court Appointed member of the Plaintiffs Steering Committee and/or a Lead Counsel in various drug product liability, class action and other mass tort litigation areas. I have been appointed by state and federal courts throughout the country to serve in leadership capacities, including lead counsel, settlement counsel and executive committee member. This includes over 5 high-profile MDLs. I have been appointed to MDL trial teams, MDL negotiating teams and participated in negotiating over \$2 billion in MDL-related settlements. I have also been appointed to a variety of MDL Federal and MDL State Coordination Committees. These appointments and opportunities have provided me with the knowledge and ability to be a useful member of the Plaintiffs' Executive Committee in this litigation.

In the last two and half years I have been appointed Lead or Co-Class Counsel in diverse class actions: (1) *In Re: Daily Fantasy Sports Litigation*, a consumer class action for damages arising out of improper or illegal conduct by the nation's two largest operators of online daily fantasy sports contests; (2) *Sterling, et al. v. Stratfor Enterprises, LLC, et al.*, a consumer class action for damages arising from Defendants' failure to secure its computer storage systems to protect Defendant Stratfor's users', subscribers', and those persons and entities that provided Defendant Stratfor with personal and financial information; (3) *Hernandez-Ortiz, et al. v. 2 Gold, L.L.C., et al.*, a class action alleging that Defendants caused Plaintiffs damages due to Defendants' failure to exercise due care to adequately secure Premises before Hurricane Sandy; and (4) *Carolyn Roberts, Alexander Wood and Mayer & Lee, P.C. v. Ocean Prime, LLC*, a class action alleging that Defendants caused Plaintiffs damages due to Defendants' failure to exercise due care to adequately secure premises before Hurricane Sandy.

I have a proven track record of working well with others in the many Class and Mass Tort Actions where I have been appointed as either Lead Counsel and/or to the Plaintiffs Steering Committee, and in many cases various sub-committees. I have served in every level of the MDL structure, from my early days doing document review, to leading discovery committees, science committees, deposition teams, bellwether trial selection teams, trial teams, as well as serving as national settlement counsel. I am further willing to commit the necessary resources to assist Lead Counsel in pursuing this litigation at an expeditious pace. I believe that without exception, I have succeeded in maintaining the highest standards of decorum, cooperation and collegiality among plaintiff and defense counsels alike. Should the Court so desire, I would be pleased to provide a list of co-counsel and defense counsels who will vouch for my professionalism and ability. I represent to the Court that my firm possesses ample resources, in terms of personnel and funding, to prosecute this case in a timely and efficient manner.

Over the course of 30 years of practice I have the opportunity to teach, lecture and write on various topics related trial practice, class actions, mass tort, ethics, product liability, complex litigation, etc. These important opportunities have helped me develop a very pragmatic outlook on complex litigation and the need to effectively, economically and expeditiously litigate and resolve very complex matters. I believe these characteristics will be important in bringing this case to resolution.

January 20, 2017

Respectfully Submitted,

/s/ Hunter Shkolnik

Hunter J. Shkolnik

NAPOLI SHKOLNIK PLLC

360 Lexington Avenue, 11th Floor

New York, New York 10017

(212) 397-1000

hunter@napolilaw.com

TIMOTHY M. O'BRIEN
Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.

Timothy O'Brien is a board-certified civil trial attorney who concentrates his practice in the areas of product liability, personal injury, wrongful death, business torts and mass tort litigation. Mr. O'Brien is rated "A-V Preeminent" by the prestigious Martindale-Hubbell lawyer peer-rating service. He is currently winding down his service as Lead Counsel for the Plaintiffs Steering Committee *In re: Fosamax Products Liability Litigation*, MDL No. 1789¹. He also is currently serving as bellwether trial counsel for *In re: E.I. DuPont de Nemours and Co. C-8 Personal Injury Litigation*, MDL No. MDL No. 2433. Previously, Mr. O'Brien served as Discovery Co-Chair of the Plaintiffs Steering Committee in *In re: Yasmin and Yaz (Drospirenone) Products Liability Litigation*, MDL No. 2100, as Co-Lead Counsel in *In re: Cisco Systems Securities Litigation*, MDL No. 1527, as Discovery Co-Chair in *In re: Accutane Products Liability Litigation*, MDL No. 1626, as Discovery Co-Chair in *In re: Medtronic, Inc., Implantable Defibrillators Product Liability Litigation*, MDL No. 1726, as a member of the Plaintiffs Steering Committee in *In re: Guidant Corp. Implantable Defibrillators Product Liability Litigation*, MDL No. 1708, and served on the discovery committee of *In re: Phenylpropanolamine ("PPA") Products Liability Litigation*, MDL No. 1407.

Mr. O'Brien personally has tried more than 50 jury trials and received his Board Certification in Civil Trial by the Florida Bar in 2010.

Mr. O'Brien received his B.A. with Honors from the University of Virginia in 1992. After graduating with Honors from the University of Florida Fredric G. Levin College of Law in 1995, Mr. O'Brien worked for two years as a law clerk for the Honorable William T. Moore, Jr., United States District Judge for the Southern District of Georgia. Mr. O'Brien then entered private practice at Oliver Maner & Gray, LLP, in Savannah, Georgia where he concentrated his practice in the area of federal litigation. In 2000, Mr. O'Brien was recruited by and joined the law firm of Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor ("Levin Papantonio"), of which he is an equity Shareholder.

¹ Mr. O'Brien negotiated the national settlement for MDL No. 1789, which settled in 2014. He is administering the final few disbursements from escrow for that settlement. It is anticipated the MDL will formally wind down in the Spring of 2017.

Mr. O'Brien is admitted to the following bars:

- o Florida
- o Georgia
- o Mississippi
- o U.S. District Court Northern District of Florida
- o U.S. District Court Middle District of Florida
- o U.S. District Court Southern District of Georgia
- o U.S. District Court Middle District of Georgia
- o U.S. District Court Northern District of Georgia
- o U.S. District Court Northern District of Mississippi
- o U.S. District Court Southern District of Mississippi
- o U.S. Court of Appeals 2nd Circuit
- o U.S. Court of Appeals 5th Circuit
- o U.S. Court of Appeals 9th Circuit
- o U.S. Court of Appeals 11th Circuit
- o U.S. Court of Appeals Federal Circuit
- o U.S. Court of Federal Claims
- o U.S. Supreme Court

Levin Papantonio was founded in 1955, and began focusing in mass torts plaintiffs' personal injury law in the late 1980s. Since that time, the firm has earned a reputation as one of the most successful personal injury law firms in the nation, accumulating jury verdicts and settlements exceeding \$3 billion. The firm owns the national seminar company, Mass Torts Made Perfect, which hosts two major conferences each year averaging more than 600 attendees per conference. The firm currently employs 35 attorneys, and more than 100 staff.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: INVOKANA (CANGLIFLOZIN)
PRODUCTS LIABILITY LITIGATION

* MDL No. 2750
*
* JUDGE BRIAN R. MARTINOTTI
* MAG. JUDGE LOIS H. GOODMAN
*

***** *

APPLICATION FOR APPOINTMENT OF ASHLEY BRITTAIN LANDERS
TO SERVE IN A LEADERSHIP ROLE

I am an attorney at Schlichter, Bogard & Denton, LLP, a national law firm with years of leadership experience in complex litigations across the country. While at the firm for the past seven years, I have had the tremendous opportunity to litigate cases on behalf of victims who allege injuries due to pharmaceutical drugs, medical devices, and toxic substances. I also speak regularly at national litigation conferences and seminars where I provide important information to attorneys involved in multidistrict litigations and mass torts. I am wholly committed to fulfilling the responsibilities of a leadership role in the present litigation, and have the ability to work cooperatively with the courts, defense counsel, liaison counsel, PSC members, other plaintiff attorneys, and counsel from state court actions (in coordination efforts).

My personal experience includes leadership in the following federal multidistrict and state court consolidated litigations: *In re: Yasmin and Yaz (Drospirenone) Marketing, Sales Practices and Products Liability Litigation* (MDL 2100, United States District Court for the Southern District of Illinois) (“Yaz MDL”); *In re: NuvaRing Products Liability Litigation* (MDL 1964, United States District Court for the Eastern District of Missouri) (“NuvaRing MDL”); *In re: Pradaxa (Dabigatran) Products Liability Litigation* (MDL 2385, United States District Court

for the Southern District of Illinois) (“*Pradaxa* MDL”); *In re: Xarelto (Rivaroxaban) Products Liability Litigation* (MDL 2592, United States District Court for the Eastern District of Louisiana) (“*Xarelto* MDL”); and *In re: E. I. du Pont de Nemours and Company C-8 Personal Injury Litigation* (MDL 2433, United States District Court for the Southern District of Ohio) (“*C-8* MDL”).

- **Yaz MDL**: Our firm had an integral role in this litigation as Liaison Counsel for the MDL¹ and Co-Lead Trial Counsel for the first *bellwether* case, which was stayed for global settlement discussions 11 days prior to the start of trial. I was actively involved in pretrial discovery matters and trial preparation, including preparation for depositions of company witnesses and expert witnesses, legal briefing for important motions and other briefing, and the preparation and compilation of the trial exhibit list. The litigation involved more than 12,000 cases and a global settlement was reached in 2012.
- **NuvaRing MDL**: Our firm had pivotal leadership roles in this litigation as Liaison Counsel² and Co-Lead Counsel,³ as well as Lead Trial Counsel for the first *bellwether* case, thus handling virtually every aspect of the litigation which ultimately resulted in a global settlement in 2014 for approximately 3,600 hundred women. In particular, I served on the following committees: Discovery Committee; Expert Committee; Law and Briefing Committee; and Science Committee. I had a very active role in this litigation, including but not limited to, managing document production aspects, preparing for depositions of company witnesses and experts, coordinating expert reports, and performing integral legal briefing. In particular, I contributed to the successful *Daubert* and summary judgment briefing in preparation for the first trial in the United States District Court for the Eastern District of Missouri. In recognition of my role and contributions in the *NuvaRing* MDL, I received a *Missouri Lawyers Award* in 2015.
- **Pradaxa MDL**: In light of our firm’s leadership role in this litigation,⁴ I was actively involved in an array of pretrial discovery matters, such as the preparation for depositions of company witnesses and experts, development of scientific aspects, and performing integral legal briefing, including the preparation of a successful appellate brief in the Seventh Circuit Court of Appeals on behalf of Plaintiffs (Appellee). The litigation reached a global settlement in 2014 for approximately 4,000 pending cases.

¹ Roger Denton, founding member of Schlichter, Bogard & Denton, LLP, served as Liaison Counsel in the *Yaz* MDL.

² Kristine Kraft, partner at Schlichter, Bogard & Denton, LLP, served as Liaison Counsel in the *NuvaRing* MDL.

³ Roger Denton served as Co-Lead Counsel in the *NuvaRing* MDL.

⁴ Roger Denton served as Co-Lead Counsel in the *Pradaxa* MDL.

- **Xarelto MDL**: As leaders in the *Xarelto* litigation,⁵ our firm has an active role in a multitude of aspects, including coordination of expert reports, management of in-house document depository, and preparation for depositions of company witnesses and experts in the United States and abroad. In particular, I serve on the Science Committee as the Co-Chair of the Clinical Trials Sub-Committee, as well as the Discovery Committee as the Co-Chair of the Themes and Demonstratives Sub-Committee.
- **C-8 MDL**: The C-8 MDL is a toxic tort litigation involving clients across Southern Ohio and West Virginia who allege injuries due to exposure to the toxic chemical C-8 released from the DuPont Washington Works plant. As firm leaders in the C-8 MDL,⁶ I have played an active role in this litigation, including handling the depositions of the plaintiff and treating doctor for the first *bellwether* trial, preparing for depositions of expert witnesses for both plaintiff and defense, preparing jury instructions, and briefing numerous motions filed prior to and during the three trials, including summary judgment motions, *Daubert* motions, motions *in limine*, and other related motions. In addition, I was a member of the trial team for the first three *bellwether* cases that have been tried thus far in the litigation. The first trial concluded in October 2015 resulting in a \$1.6 million dollar jury verdict in compensatory damages (*Bartlett v. E. I. du Pont, et al.*, Case No. 13-cv-0170); the second trial concluded in July 2016 resulting in a jury verdict of \$5.1 million in compensatory damages and \$500,000 in punitive damages (*Freeman v. E. I. du Pont, et al.*, Case No. 13-cv-1103); and the third trial concluded most recently in January 2017 resulting in a jury verdict of \$2 million in compensatory damages and \$10.5 million in punitive damages (*Vigneron v. E. I. du Pont, et al.*, Case No. 13-cv-0136).

As described above, I, along with my firm, have an outstanding track record of committing substantial time, resources, and efforts toward this type of litigation. I understand that there are many well-qualified counsel to choose from in this litigation, and as a result, I am more than willing to serve in whatever capacity deemed to be most appropriate, but truly believe I would serve as a valuable asset to this litigation in a leadership role.

⁵ Roger Denton serves as a member of the Plaintiff Steering Committee for the *Xarelto* MDL.

⁶ Roger Denton serves as a member of the Plaintiff Steering Committee for the C-8 MDL.



JOHN H. GOMEZ

Mr. Gomez founded Gomez Trial Attorneys in 2005. He acts today as President and Lead Trial Attorney. Mr. Gomez graduated from the Nation's top ranked law school, Yale University, in 1993. He clerked for the Hon. Marilyn Huff of the United States District Court, Southern District. He worked for the international law firm of Latham & Watkins and served the United States as an Assistant United States Attorney.

Mr. Gomez established himself as one of California's most recognized and accomplished trial lawyers. Lawyers USA named him the national Lawyer of the Year in 2010. He has twice been named San Diego's Trial Lawyer of the Year. The Consumer Attorneys of San Diego have awarded him an unprecedented nine separate Outstanding Trial Lawyer Awards. He has been named a Top 100 California Attorney overall by the Los Angeles Daily Journal, a Top 10 San Diego attorney overall by San Diego Metropolitan Magazine, and was voted by peers as a top 10 San Diego Super Lawyer in 2012, 2013 and 2014. He was featured as the subject of the cover story in that 2012 publication.

He was voted by peers as the top attorney in San Diego for 2015 overall in polling conducted by Super Lawyers rating service. Best Lawyers in America named him the San Diego 2011 and 2012 Plaintiffs Products Liability Attorney of the Year and the 2015 Class Action and Mass Tort Attorney of the Year. Avvo rates him a 10.0 out of 10.0 and he has been voted by his peers as a top ten San Diego litigator in three separate fields: Personal Injury, Insurance and Corporate Litigation. Since 2000, he has recovered over \$300 million in settlements and verdicts for his clients with more than 75 separate recoveries of one million dollars or more. Perhaps most notably, Mr. Gomez has obtained 4 separate jury verdicts of one million dollars or more in which the defendant offered absolutely nothing to settle prior to trial. Mr. Gomez also serves in leadership roles relating to numerous coordinated litigations involving defective drugs and medical devices. Mr. Gomez is a proud member of the American Board of Trial Advocates.

Mr. Gomez is also a member of the Summit Council, a national group of our country's finest trial lawyers for plaintiffs. Members are nationally recognized by their peers as top civil justice advocates. All members have obtained at least one ten million dollar jury verdict and at least three jury verdicts in excess of one million dollars as lead counsel in jury trials, have served as the President or Chair of a state or national civil justice association, or have served as Chair of a plaintiff's steering committee for a major mass tort or class action litigation. Membership is limited to less than thirty lawyers nationally and is by invitation only. Summit Council members work collaboratively to ensure the very highest level of representation to each of their clients. Mr. Gomez's clients benefit from access to this highly exclusive and talented group.

Professional Awards & Recognitions: Consumer Attorneys of San Diego “Trial Lawyer of the Year” 2006 and 2010; Consumer Attorneys of San Diego “Outstanding Trial Lawyer” (9 time recipient); *Super Lawyer* 2008-2014 (Top 10 San Diego Super Lawyer 2012-14); *Best Lawyers In America* 2007-2013; *Best Lawyers in America* San Diego Plaintiffs Products Liability Attorney of the Year, 2011-2012 *Best Lawyers in America* 2015 Class Action and Mass Tort Attorney of the Year; *San Diego Daily Transcript* “Top 10” San Diego Attorney (Peer Review Polling) 2005-2015; *Lawyers USA* National “Lawyer of the Year”; American Board of Trial Advocates, Associate; Summit Council, Member (invitation only to less than thirty lawyers nationally); San Diego County Bar Association “Community Service Award” Recipient, 2012; Martindale Hubbell AV-rated.

Professional Service: *Consumer Attorneys of California*, 2013 Executive Board; *Consumer Attorneys of San Diego*, 2012 President; *Chicano Federation*, Board Member; *La Cuna*, (nonprofit dedicated to placing Latino foster children), former Board Chair; *San Diego County Bar Association*, former Board Member; *San Diego Volunteer Lawyers Program*, former Board Member; and *National Institute of Trial Advocacy*, Faculty Member



Relevant Case Experience

- Class trial counsel completing over three-week class action jury trial *Allen v. Hyland's, Inc.*, United States District Court, Central District, Western Division Case No. 12-cv-1150-DMG-MAN before Hon. Dolly M. Gee;
- Class Counsel, completing over two-week class action jury trial *Union Square at Broadway Homeowners Association v. Western Pacific Housing-Broadway, et al.*, San Diego Superior Court Case No. 37-2011-0091935-CU-CD-CTL before Hon. Ronald L. Styn;
- Class Counsel, *In re Sony Vaio Computer Notebook Trackpad Litigation*, United States District Court, Southern District of California, Case No. 09-cv-02109-BAS-MDD, Hon. Cynthia A. Bashant;
- Class Counsel, *Allen v. Similasan Corporation, et al.* United States District Court, Southern District of California Case No. 3:12-cv-00376-BAS-JLB, Hon. Cynthia Bashant.
- Lead Counsel in *Saylor v. Toyota, et al.*, Los Angeles Superior Court Case No. CCP 4621, Hon. Amy D. Hogue;
- Lead Trial Counsel in *In re: DePuy ASR Hip System Cases*, Los Angeles Superior Court JCCP Proceeding No. 4649, Hon. Mary E. Wiss;
- Lead Trial Counsel in *In re Cold Therapy Cases*, San Diego Superior Court Case No. JCCP 4680, Hon. Joel M. Pressman;
- Plaintiffs Executive Committee *In re: Fresenius Granuflo/Naturalyte Dialysate Products Liability Litigation*, MDL 2428, United States District Court, District of Massachusetts, Hon. Douglas P. Woodlock, J.;
- Plaintiffs Executive Committee and Coordinating Firm *In re JCCP 4771, Zolof Birth Defect Cases*, Orange County Superior Court JCCP No. 4771, Hon. Kim G. Dunning;
- Plaintiffs Executive Committee and Coordinating Firm *In re JCCP 4786, Paxil Birth Defect Cases II*, Los Angeles Superior Court JCCP No. 4786, Hon. Amy D. Hogue;
- Lead Counsel for 111 Consolidated Cases *In re Chariot Wildfire Litigation*, United States District Court, Southern District of California, Case No. 14-cv-01437-AJB-KSC, before Hon. Anthony J. Battaglia;

- Leadership *In re Biomet M2A Magnum Hip Implant Products Liability Litigation*, United States District Court Northern District of Indiana, South Bend Division, MDL 2391 before Hon. Christopher A. Nuechterlein; and
- Leadership *Fitbit JCCP 4880*, San Diego Superior Court before Hon. Eddie C. Sturgeon

ANTHONY D. IRPINO, ESQ.

IRPINO, AVIN & HAWKINS

2216 Magazine Street

New Orleans, Louisiana 70130

Telephone (504) 525-1500

Telefax (504) 525-1501

airpino@irpinolaw.com

PROFESSIONAL: ATTORNEY - Founding Partner of Irpino, Avin & Hawkins

EDUCATION: Tulane Law School, Juris Doctor (cum laude) - 1996
University of Illinois, B.A. (cum laude) – 1993

CERTIFICATES: Admitted in the State of Louisiana, the United States District Courts for the Eastern, Western and Middle Districts of Louisiana, the United States 5th Circuit Court of Appeals, and the United States Supreme Court

While his law firm handles a wide range of cases, Anthony Irpino has spent most of his legal career working on multi-district litigation (“MDL”) class action and mass joinder cases. Mr. Irpino has served as class counsel for plaintiffs in more than fifty (50+) such cases, including several MDLs involving defective drugs and medical devices (e.g., MDL 2606 - *In Re: Benicar (Olmesartan) Products Liability Litigation*, MDL 2592 – *In Re: Xarelto (Rivaroxaban) Products Liability Litigation*, MDL 2327 – *In Re: Ethicon, Inc., Pelvic Repair System Products Liability Litigation*, MDL 2187 - *In Re: C.R. Bard, Inc., Pelvic Repair System Products Liability Litigation*, MDL 1789 - *In Re: Fosamax Products Liability Litigation*, MDL 1657 - *In Re: Vioxx Products Liability Litigation*).

Anthony Irpino’s devotion to MDL cases has allowed him to gain expertise in: Pretrial Order drafting, case management planning, fact and expert discovery, privilege and confidentiality claims, trial plans tailored to class action litigation, trial work, and the role, mechanism and operation of Plaintiff’s Steering Committees. His experience in complex litigation has led to his successful representation of thousands of claimants in MDL proceedings.

Mr. Irpino was part of the plaintiffs’ Trial Teams for MDL 2179 - *In Re: Oil spill by the Oil Rig “Deepwater Horizon”* and MDL 2047 - *In Re: Chinese-Manufactured Drywall Products Liability Litigation*, and was Co-Lead Trial Attorney in *Mary Self, et al. v. Illinois Central Railroad*, USDC, EDLA - a train derailment and evacuation class action tried before a jury resulting in a verdict for the plaintiffs.

INVOKANA: Anthony Irpino and his law firm currently have one case on file in the MDL (*Cassandra Jackson, et al.*), and are in the process of investigating 34 other cases.

ROBINS KAPLAN LLP

800 LASALLE AVENUE
SUITE 2000
MINNEAPOLIS MN 55402

612 349 8500 TEL
612 339 4181 FAX
ROBINSKAPLAN.COM

HOLLY H. DOLEJSI
612 349 8295 TEL
HDOLEJSI@ROBINSKAPLAN.COM

I am an associate with the law firm of Robins Kaplan, PLC, where I exclusively represent individuals who have been harmed by defective medical devices and pharmaceuticals. During my six years at the firm, I have worked on numerous MDLs and MCLs, including:

- In re DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation;
- In re DePuy Orthopaedics, Inc., ASR Hip Implant Products Liability Litigation;
- In re Zimmer Durom Hip Cup Products Liability Litigation;
- In re Fosamax Products Liability Litigation;
- In re Zimmer NexGen Knee Implant Products Liability Litigation;
- In re Stryker Rejuvenate and ABG II Hip Implant Products Liability Litigation;
- In re Wright Medical Technology, Inc., Conserve Hip Implant Products Liability Litigation;
- In re Biomet M2a Magnum Hip Implant Products Liability Litigation;
- In re Fresenius GranuFlo/NaturaLyte Dialysate Products Liability Litigation;
- In re Benicar (olmesartan) Products Liability Litigation; and
- In re Invokana (Canagliflozin) Products Liability Litigation.

A highlight from my work on defective hip cases include assisting in developing a global settlement program for both the New Jersey state multi-county and federal multi-district Stryker Rejuvenate and ABG II Hip Stem litigations. I participated in two bellwether mediations before Judge Diane Welsh. These bellwether mediations lead to broader settlement negotiations which resulted in the global settlement program. During those negotiations, I gathered and provided valuable statistics to the Settlement Oversight committee to make sure the settlement reached would be equitable and as all-encompassing as possible. The settlement program was valued at over \$1 billion. In light of Judge Martinotti's expressed intent to conduct a similar bellwether settlement process in the Invokana MDL, my experience with him on Stryker will be valuable.

In addition to working on defective hip cases, I have also been actively involved in federal and state litigations involving the hypertension drug olmesartan

January 20, 2017
Page 2

(marketed as Benicar, Azor and Tribenzor). In that MDL, I am a member of the bellwether committee, for which I worked to develop evaluation criteria for the random bellwether picks selected by the Court. Since then, I have been working on preparing our firm's three bellwether picks for trial, including conducting deposition examinations in a first chair capacity, and defending a client deposition. I have also worked to help develop experts, expert reports, and prepare experts for depositions, which will take place next month.

In addition to my work on the Benicar bellwether process, I also was on the trial team for my firm's four Granuflo/Naturalyte bellwether picks. I conducted or defended nearly all of the case-specific fact and expert depositions for one of those bellwether selections.

Finally, I have been working on Invokana and Farxiga cases for over a year. I have one federal Invokana case pending in the Eastern District of Pennsylvania, and I will be filing additional Invokana cases into the MDL. I also am working on Farxiga cases, a sister drug to Invokana. I have one of those cases in the Southern District of New York, which will likely either be informally coordinated there, or become part of a Farxiga MDL.

Prior to working in the mass tort arena, I practiced for two years in the Federal Employers' Liability Act field, and in personal injury. I obtained extensive deposition and motion practice in that field. I also second chaired a four week trial that lead to a multi-million dollar settlement.

I believe my experience and attitude will benefit the Invokana leadership and plaintiffs, and I am ready and willing to devote extensive time and resources to my first PSC appointment. I appreciate Judge Martinotti's emphasis on a diverse PSC, including a diversity of experience levels.

Sincerely,

Holly H. Dolejsi

Danielle Ward Mason

Danielle Ward Mason was named at Principal at Beasley Allen in 2015. She is the first African-American woman to achieve that status with the firm. She joined the firm as an Associate in 2009 and has spent the past seven years in the firm's Mass Torts section, investigating claims involving dangerous drugs and medical devices. Currently, Danielle devotes most of her time to talcum powder litigation against defendants Johnson & Johnson, Johnson & Johnson Consumer Companies, Inc., and Imerys Talc America, Inc. In February 2016, Danielle, along with her law partners Jere Beasley, Ted Meadows and David Dearing, secured a \$72 million verdict against these defendants in St. Louis City Court on behalf of the family of Jackie Fox. The verdict includes \$10 million in actual damages and \$62 million in punitive damages. The talc litigation trial team secured a second verdict in May, on behalf of plaintiff Gloria Ristesund. That jury awarded \$55 million, which included \$5 million in actual damages and \$50 million in punitive damages. The third verdict was obtained in October 2016 on behalf of Deborah Giannecchini for \$2.75 million in compensatory damages and \$67 million in punitive damages. Soon after the Fox trial, Danielle was elected as interim co-chair of the American Association for Justice's (AAJ) Talcum Powder Litigation Group, and in July 2016, she was elected as permanent co-chair. Through this group, Danielle assists plaintiffs' counsel throughout the country in litigating these cases by providing them access to litigation documents and helping develop the overall strategy of these cases. Danielle and the other members of the talc litigation team were nominated as a Finalist for the 2016 Public Justice Trial Lawyer of the Year Award in recognition of their work on these cases.

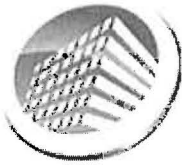
Danielle's civil litigation experience has focused primarily on claims that impact and highlight important issues in women's health, a cause for which she is most proud to advance. As an Associate, Danielle was an integral part of the Hormone Replacement Therapy (HRT) litigation and was part of the trial team that secured a \$72.6 million verdict in 2011, on behalf of three plaintiffs in Philadelphia. She also handled the firm's Transvaginal Mesh (TVM) litigation prior to moving to talc full-time. She has been lead counsel at her firm for Reglan and Hernia Mesh litigation, and she is currently the lead attorney for the firm's Invokana cases.

Danielle has held various leadership positions in multiple organizations over the years. She is the Immediate Past President of the Alabama Lawyers Association, the oldest state-wide minority association for the state of Alabama, Past President of the Montgomery County Association for Justice, and an active member of AAJ. Last year, she graduated from the organization's third Leadership Academy Class and she works with the Minority Caucus and the Womens' Caucus, participating in a number of "Lobby Day" events in Washington, D.C. and service projects to underserved communities. She is currently a board member of the Alabama Post-Conviction Relief Project, where she works to secure funding for indigent defendants who have been unfairly convicted and sentenced to Alabama's Death Row. Her recent honors include: Beasley Allen's Mass Torts Attorney of the Year (2016), Jones School of Law Annual Scholar's Dinner Honoree (April 2017); 2016, 2015, and 2014 Super Lawyers "Rising Stars"; "Attorney of the Year" – Oliver Robinson Foundation's Black Achievers Award (June 2015), Lawyers of Color 2nd Annual "Hot List", and RSVP Montgomery's "The List" (July/August 2014). She was very proud to join the very distinguished list of recipients of the American Association for Justice's F. Scott Baldwin Award this summer for the work she accomplished on behalf of her client, Jackie Fox.

A native of Montgomery, Danielle graduated from Auburn Montgomery with a Bachelor's degree in Economics in 1999, followed by a Masters of Business Administration in 2001. She began a career in commercial banking, spending five years with Regions Bank and two years at Compass Bank before

entering law school. Upon passing the bar, Danielle was hired as an Assistant Federal Defender for the Middle District of Alabama and was the first attorney in the office to be assigned to both the trial and habeas unit simultaneously. She left the FD office in June 2009 to join Beasley Allen as an Associate.

Beasley Allen currently has 188 Invokana cases under investigation, with one filed case currently in the MDL. We expect the number of investigation and filed cases to grow significantly over the next few months.



MORGAN & MORGAN

COMPLEX LITIGATION GROUP

Mass Torts | Whistleblower | Class Action

FRANK M. PETOSA



Frank M. Petosa is a partner with Morgan and Morgan and a member of the firm's Complex Litigation Group. Frank coordinates the firm's interdisciplinary Environmental Toxic Tort Practice Group representing individuals, businesses and municipalities throughout the United States impacted by environmental disasters. Frank also handles pharmaceutical cases, managing the firm's SGLT2 Inhibitor, Testosterone Replacement Therapy, Lipitor and Reglan cases, as well as handling construction defect cases.

Morgan & Morgan is the largest exclusively plaintiffs' law firm in the United States, employing over 300 lawyers and 1500 support staff throughout the country. The firm has offices throughout Florida as well as offices in Georgia, Mississippi, Tennessee, Kentucky, Alabama, Pennsylvania, Arkansas and New York.

Morgan & Morgan's Complex Litigation Group draws from the expertise of 15 dedicated trial attorneys supported by skilled paralegals, investigators, and state-of-the-art technology. It benefits from the experience, commitment, and resources of the entire firm. These attorneys specialize in cases involving numerous plaintiffs and defendants, and have successfully litigated a wide array of mass torts, pharmaceutical and medical device cases, environmental toxic tort cases, class actions and qui tam actions.

In the aftermath of the 2010 Deepwater Horizon Oil Spill, Frank coordinated the firm's representation of numerous individuals, businesses and municipalities throughout the Gulf Coast impacted by the Oil Spill. Frank was also been integrally involved with the PSC and Class Counsel for the Deepwater Horizon Oil Spill MDL 2179 as a member of the Phase 2 Trial Team, a Co-Coordinator of the Economic Loss and Property Damages Work Group, a member of the Science and Expert, Moratorium & Public Relations Work Groups and the main PSC representative in New Orleans for the firm. As a member of the Phase 2 Trial Team, Frank took over twenty (20) fact witness and

expert witness depositions, managed and handled pre-trial preparation and participated in and examined witnesses and experts at the Phase 2 trial.

Frank currently holds personal appointments and serves on the PSC for the following MDL proceedings: Southern California Gas leak Cases, California Coordinated Proceeding No. 4861 (Co-Chair of the Individual Action PSC and Co-Chair of the Medical/Health Impacts and Well Integrity Committees; Lipitor (Atorvastatin) Marketing, Sales Practices and Products Liability Litigation MDL 2502 (member of the Science and Expert and Discovery Committees); Testosterone Replacement Therapy Products Liability Litigation MDL 2545 (member of the Science and Expert, Discovery, Bellwether and Auxilium Committees); Pella Corporation Architect and Designer Series Windows Marketing, Sales Practices and Products Liability MDL 2514; and Elk Cross Timbers Decking Marketing, Sales Practices and Products Liability Litigation MDL 2577. He has also been active in the PSC for the Chinese Drywall MDL and the Denture Cream MDL.

Frank is a Past President of the Florida Justice Association and a Past Chair and Trustee of the Florida Justice Political Action Committee.

Frank is also a member of the American Association for Justice and Chair of the SGLT2 Inhibitor Litigation Group.

In 2009 through 2012, Frank was named a Florida Super Lawyer in the practice areas of medical malpractice and class actions.

Frank has been a member in good standing of the Florida Bar since 1993 and he is admitted to practice in the U.S. District Court, Southern and Middle Districts of Florida.

Morgan & Morgan Invokana Cases:

Morgan & Morgan has filed 41 Invokana cases to date and has over 150 additional Invokana cases under investigation. The cases were originally filed in Philadelphia state court, but were improperly removed to the Eastern District of Pennsylvania and are subject to a pending motion to remand at this time. If Frank is appointed to the PSC for MDL 2750, Invokana (Canagliflozin) Products Liability Litigation, Morgan and Morgan will file future Invokana cases in MDL 2750 as well coordinate its Invokana cases originally filed in Philadelphia state court with the MDL and PSC if the cases are remanded.



Jason Charles Webster

Jason Charles Webster is a native Texan. Jason attended Tarleton State University to play football. After two years, he transferred to Sam Houston State University and graduated with a degree in criminal justice. Jason then went on to South Texas College of Law where he finished at the top of his class.

Jason focuses heavily on pharmaceutical litigation. He is one of the few lawyers who have actually tried a pharmaceutical case to a jury. Jason has represented clients involving claims regarding:

- Phen-Phen
- Baycol
- Resulin
- Vioxx
- Zyprexa
- Seroquel
- PPA
- Avandia
- Actos
- SSRI birth injuries

In fact, within six months of opening the doors of his law firm, he was able to get together a large pharmaceutical case docket and successfully reach a settlement for the clients involved.

Jason has also represented clients involved in types of premises liability cases, including the 2007 Houston Galleria rape case, and has also successfully prosecuted several medical malpractice cases, tried and/or settled many construction accidents, 18-wheeler wrecks, and burn cases.

In 2009, Jason attended the prestigious Gerry Spence Trial Lawyers College in Dubois, Wyoming for a four week intensive training for trial lawyers. Less than a year later, he opened the doors to his own firm and has never looked back. After nearly seven years as the owner and lead trial attorney, Jason has amassed not only a successful catastrophic personal injury docket, but also mass tort dockets involving Invokana, Farxiga,

Jardiance, Xarelto, Mirena, Risperdal, and Bair Hugger Warming Blankets. During this time, he has achieved several multi-million dollar verdicts and settlements, in both personal injury cases as well as pharmaceutical settlements.

Bar Admissions:

- Texas, 2001
- Mississippi, 2003
- U.S. District Court Northern District of Mississippi, 2002
- U.S. District Court Southern District of Texas, 2002
- U.S. District Court Eastern District of Texas, 2002
- U.S. District Court Northern District of Texas, 2003
- U.S. District Court Southern District of Texas, 2002
- New York, 2008
- Pennsylvania, 2010
- Oklahoma, 2013
- Illinois, 2014

Education:

- South Texas College of Law, Houston, Texas, 2001
- Sam Houston State University, Huntsville, Texas, 1997 - B.A. Professional

Associations and Memberships:

- American Bar Association
- State Bar of Texas
- Houston Young Lawyers Association
- Association of Trial Lawyers of America
- Texas Trial Lawyers Association
- Houston Trial Lawyers Association
- United States Court of Federal Claims
- 2011-2013 Texas Super Lawyer Rising Star
- Houston's Top Lawyer 2012
- The National Trial Lawyers: Top 40 Under 40
- The National Association of Distinguished Counsel
- Panel Ethics Chair for State Bar of Texas
- President of Allied Advocates Foundation

JASON CHARLES WEBSTER

The Webster Law Firm
6200 Savoy Suite 150
Houston, TX 77036
713-581-3900
jwebster@thewebsterlawfirm.com

07/2010 – Present

THE WEBSTER LAW FIRM, PC

- Founder of The Webster Law Firm;
- Lead Trial Attorney for various trial dockets, including pharmaceutical litigation and personal/catastrophic injury cases and select commercial cases;
- Represents 40 of the Lac-Megantic train disaster wrongful death estates and negotiated a 320 million dollar settlement with various defendants on their behalf;
- Obtained a 3.7 million dollar verdict in January 2015 against BNSF Railroad after the driver of the car ran a stop sign while talking on a cell phone; and
- Recently participated in the settlement of Actos Bladder cancer cases in Cook County, Illinois for 2.4 billion dollars.

01/2007 – 07/2010

MATTHEWS & ASSOCIATES

- Attorney handling pharmaceutical litigation files all over the continental United States thru time of trial.
- Pre-trial and trial experience in all types of general tort cases;
- Numerous depositions, hearings, and mediations in State and Federal court in both Texas and Mississippi.
- Responsible for complete trial docket;
- Nine years experience in handling pharmaceutical cases which accounts for eighty percent of the docket.
- Trial work completed for the following MDLs: PPA, Fen Phen, Rezulin, Baycol, Guidant, Medtronic, Vioxx, Zyprexa, Seroquel and Gadolinium; and
- Lead trial counsel for the 3.6 million dollar Galleria Rape premises liability verdict which only put 25% fault on the rapist.

11/2001 – 01/2007

ABRAHAM, WATKINS, NICHOLS, SORRELS, MATTHEWS & FRIEND

- Attorney handling pharmaceutical litigation files all over the continental United States thru time of trial.
- Pre-trial and trial experience in all types of general tort cases.
- Numerous depositions, hearings, and mediations in State and Federal court in both Texas and Mississippi.

12/2000 – 11/2001

WHEAT, FOLGER & OPPERMAN (FORMALLY KILLEEN & WHEAT, P.L.C.)

- Law clerk assisting in all types of insurance defense and commercial litigation.
- Large concentration of cases in maritime defense.

9/2000 – 12/2000

BROWN SIMS, P.C.

- Law clerk maritime and commercial litigation.

9/1999 – 8/2000

ABRAHAM, WATKINS, NICHOLS, SORRELS, MATTHEWS & FRIEND

- Law clerk to Richard J. Plezia – assisted in client interviews, depositions and trial in all types of personal injury.
- Responsible for all discovery, pleadings, and pretrial motions.

5/1997 – 8/1997

DALLAS DISTRICT ATTORNEY'S OFFICE

- Assistant Investigator during summer clerkship.
- Responsible for calling witnesses, jury background checks, and preparing dockets for trial.

EDUCATIONAL BACKGROUND

Licensed to practice in the following Jurisdictions: Southern, Eastern and Western Districts of Texas, 5TH Circuit Court of Appeals, Northern and Southern Districts of Mississippi, All Chancery and Circuit Courts of Mississippi, United States Court of Federal Claims, State Courts of Pennsylvania, State/Superior Courts of New York, State Courts of Oklahoma and admitted pro hac vice in at least six other states. Graduate of TTLA's Trial Advocacy College.

SOUTH TEXAS COLLEGE OF LAW

Class Rank: Top 25% - Dean's List
Competed in both Moot Court and Mock trial competitions.
Worked 30 hours per week while attending law school full time

SAM HOUSTON STATE UNIVERSITY

Degree in Bachelor of Arts in Criminal Justice
GPA: overall 3.35/4.0
Graduated Fall 1997

Honors: Dean's List, National Criminal Justice Honor Society

Activities: 2 years of Football at Tarleton State University
Member Lambda Alpha Epsilon Criminal Justice Fraternity

HONORS AND AWARDS

Texas Super Lawyer 2013, 2014 and 2015
Houston's Top Lawyer 2012, 2013, 2014
2010, 2011 and 2012 Texas Super Lawyer Rising Star
Top 40 Under 40 for 5 consecutive years
The National Association of Distinguished Counsel
Graduate of the Gerry Spence Trial Lawyers College
Panel Chair for the State Bar of Texas Ethics Grievance Committee 4B for the past 3 years

MEMBERSHIPS

Allied Advocates Foundation
Texas Trial Lawyers Association
America Association of Justice (formerly ATLA)
Houston Trial Lawyers Association, Board of Directors
Houston Bar Association
American Bar Association
National Rifle Association
American Civil Liberties Union
State Bar of Texas
State Bar of Mississippi
State Bar of Pennsylvania
State Bar of New York
State Bar of Oklahoma
State Bar of Illinois
United State District Courts for the Southern, Northern, and Eastern Districts of Texas
United State District Courts for the Southern District of Mississippi
U.S. 5th Circuit Court of Appeals

NOTABLE TRIALS/SETTLEMENTS

Actos – Settled nearly 400 cases and has been one of the first firms to complete the docket and submit payments to clients.

Railroad/Training Crossing – Trial verdict over 3 million dollars for the passenger in a vehicle hit by a train in Sealy, Texas.

Avandia – Amassed and secured a sizable 8 figure settlement for over 600 Plaintiffs against GlaxoSmithKline within six months of opening the firm doors.

Galleria Rape Case –Lead trial lawyer that ended with a verdict of over 3 million dollars on a highly contested premises liability case.

House Construction case – Jury Verdict of nearly \$100,000 on an offer of \$5,000 on a housing defect case

Products Liability Regarding Bug Bomb – Secured a high seven figure settlement with disputed liability for clients who had been horribly burned when a house exploded due to the use of bug bombs.

Tire Detread Case – Death of a father and husband when tire detread while driving. Negotiated a sizeable settlement with Cooper Tires prior to filing suit.

Federal Employers Liability Act—obtained a verdict in excess of 1 million dollars on behalf of nuclear arms workers at the Pantex Plant in Amarillo, Texas.

Cause No. 2001-43908, *Harrell et. al. v. Harris County et. al.* , In the 80th Judicial District Court of Harris County, Texas. Defense verdict, City of Houston Defense lawyer. Auto Accident regarding 3 inmates. Judge Carolyn Johnson

Cause No. 97V-103, *Cliff Jones v. Carl Wayne Herin*, In the 155th Judicial District Court of Austin County, Texas. Plaintiff verdict in the amount of medicals. Road Rage case.
Judge Beck

Cause No. 797,620; *Thomas B. "Tody" Dupont vs. Javier Lugo*; In the County Civil Court at Law No. One (1) of Harris County, Texas, Plaintiff's verdict in the amount of 13,790.00, contested liability, James (Jim) Ebanks, Ebanks, Smith and Carlson Defense Attorneys. Auto Wreck case.
Judge "Cactus Jack" Cagle

Campbell v. Healthsouth Rehabilitation

CAUSE NO. E-0170948; *Irene Salas, individually and as representative of the Estate of Aurilano Salas (deceased), et al. v. Christus St. Mary Hospital a/k/a Christus Health Southeast Texas, et al.*; In the 172nd Jefferson County, Texas

Cause No. 2004-02285; *Jane Doe vs. Simon Property Group Texas, L.P., Simon Property Group Delaware, Inc.; Simon Property Group Administrative Services Partnership, L.P., and IPC International Corporation*; In the 151st District Court of Harris County, Texas

BENCH TRIALS

Cause No. CV42C5010833 L *Lakesha Hays v. Alisa Franklin* In the Justice of the Peace Court Precinct 4, Place 2 Harris County Texas. Plaintiff Verdict on a breach of contract case.

Cause No. 2004-39829; *In the Matter of the Marriage of Marisol Medina and Oscar R. Medina, and in the Interest of Jazmine Marissa Medina and Juliette Anabel Medina, Children*; In the 247th Judicial District Court of Harris County, Texas. Child custody dispute in which the Judge awarded custody to my client and child support for the same.

Cause No. CAUSE NO. 07-06-06423-CV; *Jessica McAdams, Individually and On Behalf of Charles L. McAdams, Minor vs. Little Angels Playhouse, Pat Morales and Richard Morales*; County Court No. 2, Montgomery County, Texas

**Lieff
Cabraser
Heimann &
Bernstein**
Attorneys at Law

David S. Stellings **PARTNER**

Lieff Cabraser Heimann & Bernstein, LLP
250 Hudson Street, 8th Floor
New York, NY 10013
t 212.355.9500
f 212.355.9592
dstellings@lchb.com



Getting Great Results For His Clients

David S. Stellings represents businesses and individuals from around the world in complex litigation in federal and state courts. For the last twenty years, David has focused on consumer fraud, financial fraud, and breach of contract cases. He has recovered more than 12 billion dollars for his clients.

David is part of the leadership team in the Volkswagen "Clean Diesel" multidistrict litigation, in which plaintiffs allege that Volkswagen intentionally and systematically cheated its customers, lied to the government, and misled the public about the emissions of its diesel engine vehicles sold under the Volkswagen, Audi, and Porsche brands. In October 2016, the Court granted final approval to a partial class settlement worth \$10.03 billion.

David is a member of the leadership team in the Takata exploding airbag nationwide class action. Plaintiffs in that case allege that more than 34 million class members were damaged when airbag manufacturer Takata and several major automobile manufacturers knowingly exposed them to the risk of being killed or injured by shrapnel from exploding airbags.

David is also on the leadership team in the multidistrict Checking Account Overdraft litigation. The lawsuits charge that banks changed the order of debit card transactions for the purpose of maximizing the number of times they could assess their customers overdraft fees. To date, the Court has approved more than \$1 billion in settlements.

David is co-lead counsel in several cases pending in federal court in Virginia, in which plaintiffs allege that certain oil and natural gas companies improperly underpaid gas royalties to the owners of the gas. In one case, David recovered for his clients approximately 95% of the damages they suffered. He also brokered settlements on behalf of natural gas royalty owners in five other class actions outside Virginia. Those settlements – in which class members recovered between 70% and 100% of their damages, excluding interest – were valued at more than \$160 million.

David played a leading role in the firm's consumer fraud and antitrust litigation on behalf of businesses and consumers in New York, Florida, North Carolina, and Tennessee against

Microsoft Corporation. The landmark litigation charged Microsoft with having committed anticompetitive conduct, violations of state deceptive and unfair business practices statutes, and overcharging of businesses and consumers for Windows and other software. The settlements in the litigation totaled over \$700 million. David currently is on the leadership team pursuing similar claims against Microsoft in Canada.

Areas of Practice

Consumer Protection, Financial Fraud, Breach of Contract

Education

New York University School of Law, New York, New York

J.D. - 1993

Law Journal: Journal of International Law and Politics, Editor

Cornell University, Ithaca, New York

B.A. (*cum laude*) - 1990

Bar Admissions

New Jersey, 1994

New York, 1994

U.S. District Court Southern District of New York, 1994

Professional Associations and Memberships

American Bar Association

Bar Association of the City of New York

New Jersey State Bar Association

New York State Bar Association

Published Works

"The Basics of Obtaining Class Certification in Securities Fraud Cases: U.S. Supreme Court Clarifies Standard, Rejecting Fifth Circuit's 'Loss Causation' Requirement," Bloomberg Law Reports, 2011

Honors and Awards

"Super Lawyer for New York Metro," Super Lawyers, 2012 - 2016

"Trial Lawyer of the Year Finalist," Public Justice, 2012

"Lawdragon Finalist," Lawdragon, 2009